

Message Text

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PAGE 01 ABIDJA 06389 251010Z

ACTION AF-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15

USIA-15 /067 W

-----086607 251013Z /12

R 241707Z JUN 77

FM AMEMBASSY ABIDJAN

TO SECSTATE WASHDC 4165

INFO AMEMBASSY MONROVIA

UNCLAS ABIDJAN 6389

E.O. 11652: N/A

TAGS: PGOV, IV

SUBJECT: NEW IVORIAN ANTI-CORRUPTION LAW

REFERENCE: (A) MONROVIA 3937, (B) ABIDJAN 5762

SUMMARY. AS EXPECTED, THE NEW ANTI-CORRUPTION LAW WAS ADOPTED BY THE NATIONAL ASSEMBLY ON JUNE 22. IT PROVIDES FOR STIFF PRISON SENTENCES AND FINES FOR CAREFULLY DEFINED VARIETIES OF CORRUPTION AS WELL AS SPELLING OUT WHO IS AFFECTED BY THE NEW LEGISLATION. END SUMMARY.

1. THE FIRST TWO ARTICLES OF THE NEW LAW DEFINE AND DISTINGUISH BETWEEN "ACTIVE" AND "PASSIVE" CORRUPTION. THOSE WHO ACTIVELY SEEK FAVORS, PROMISES, GOVERNMENT CONTRACTS OR OTHER CONSIDERATIONS, FOR THOSE GOVERNMENT OFFICIALS WHO AGREE TO OR ALLOW SUCH FAVORS WILL BE PENALIZED WITH 2 TO 10 YEARS IN PRISON AND FINES OF 100,000 CFA (\$400) TO 2,000,000 CFA (\$8000).

2. ARTICLE THREE PRESCRIBES PRISON TERMS OF 2 TO 10 YEARS AND FINES OF 200,000 CFA (\$800) TO 2,000,000 CFA (\$8000) FOR "INFLUENCE PEDDLING." THIS PRACTICE KNOWN POPULARLY IN IVORY COAST AS "COULOIR" OR CORRIDOR DEALINGS IS USED TO PROVIDE GOVERNMENT JOBS, SCHOOL PLACES, AND OTHER CONSIDERATIONS TO FRIENDS, RELATIVES AND OTHERS. UNCLASSIFIED

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3. ARTICLE 4 WOULD INFLICT SENTENCES OF 1 TO 5 YEARS AND FINES OF 200,000 CFA TO 2,000,000 CFA ON GOVERNMENT OFFICIALS, OR FORMER GOVERNMENT OFFICIALS WHO USE OR HAVE USED "ILLEGITIMATE ADVANTAGES" IN THEIR POSITIONS IN PRIVATE, STATE CONTROLLED, OR MIXED ENTERPRISES FOR THEIR OWN PROFIT.

4. ARTICLE 5 PRESCRIBES THAT ANY CORRUPTION HAVING AS ITS PURPOSE
THE EXECUTION OF A CRIMINAL ACT WOULD CARRY THE CRIMINAL PENALTY
FOR THAT ACT.

5. ARTICLE 6 DEFINES PRECISELY AND SWEEPINGLY WHO IS COVERED BY
THIS NEW LAW WHILE ARTICLE 7 FORBIDS FURTHER GOVERNMENT EMPLOYMENT
FOR THOSE CONVICTED UNDER THE PRECEDING PROVISIONS.

6. POST POUCHING TEXT OF NEW LAW.
STEARNS

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CORRUPTION, LAW
Control Number: n/a
Copy: SINGLE
Sent Date: 24-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977ABIDJA06389
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770228-0236
Format: TEL
From: ABIDJAN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770620/aaaaarox.tel
Line Count: 72
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e1664977-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 MONROVIA 3937, 77 ABIDJAN 5762
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2039945
Secure: OPEN
Status: NATIVE
Subject: NEW IVORIAN ANTI-CORRUPTION LAW
TAGS: PGOV, IV
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e1664977-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009